

REMARKS

Applicants appreciate the Examiner's review of the above-identified patent application and respectfully request reconsideration and allowance in view of the above amendments and following remarks. Applicants also appreciate the Examiner's remarks noting that claims 6, 9, 14, and 17 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claim 2 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses this rejection. Applicant respectfully directs the Examiner's attention to at least paragraphs [0030] and [0032].

Claims 1-5, 7, 8, 10-13, 15, 16, and 18-21 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Munroe (U.S. Patent No. 4,657,201, hereinafter referred to as "Munroe".) Applicants respectfully traverse this rejection.

As discussed in at least paragraphs [0009]-[0010] of the BACKGROUND OF THE INVENTION section of the present application, the known reels having both a static and a dynamic drag suffer

from the disadvantage that there is no way to set the maximum total drag. All fishing line has a maximum line strength or test.

When the force exerted on the fishing line (i.e., the combination of the force exerted by the fish and the total drag added by the reel) exceeds the maximum strength of the fishing line, the line is liable to break resulting in the fish escaping. Accordingly, it is important that while adding the manually engageable drag (especially in combination with the a static drag) that the user does not add too much additional drag such that the total drag exceeds the strength of the fishing line. This problem is further exacerbated by the fact that the known reels utilize a button for adding the manually engageable brake which is difficult to use and difficult to add a precise amount of resistance.

Moreover, when fishing for multiple types/sizes of fish, the fisherman often needs to be able to quickly add greatly varying amounts of resistance. For example, when fishing for small fish, the user may want to add 3-5 lbs. of additional drag while in contrast, when fishing for larger fish the user may want to add 10-15 lbs. of additional drag. Unfortunately, there is no way to easily change the leverage exerted by the button so as to change to amount of drag a certain amount a given amount of hand pressure

will generate. As a result, it is difficult for a user to know how much force to exert on the button to add a given amount of additional drag. Moreover, because the leverage of the button is fixed, the fishing reel is not suitable for fishing for a wide variety of fish because the leverage added will be either too high (in which case a small amount of pressure exerted on the button will generate too much additional drag) or too low (in which case the user will not be able to add enough additional drag).

Amended independent claim 1 overcomes these disadvantages. In particular, amended independent claim 1 recites, in relevant part, a static drag applying a static resistance and a manually adjustable dynamic drag mechanism applying a dynamic resistance wherein the manually adjustable dynamic drag mechanism adjustably applies up to a **user-definable** maximum amount of dynamic resistance against rotation. Allowing the user to be able to define the maximum amount of dynamic drag prevents the user from accidentally adding too much dynamic drag while fighting a fish and ensures that the total drag will never exceed the strength of the fishing line which could result in the line breaking and the fish escaping. See, at least, paragraph [00031] of the present application.

Applicants submit that Monroe does not disclose or suggest these limitations. In contrast to amended independent claim 1, there is no way for a user to define the maximum amount of dynamic resistance that can be added. Thus, the total maximum drag is preset and the user cannot set the total maximum drag.

Applicant respectfully submits that independent claims 11 and 21 substantially the same limitation discussed above. Accordingly, Applicant submits that Monroe does not disclose or suggest all the limitations of independent claim 11.

Independent claim 19 recites, generally, selecting a total maximum resistance against rotation of said spool, adjusting a static drag mechanism to provide a minimum, static resistance against rotation of said spool, and adjusting a dynamic drag device to provide up to a preset maximum amount of dynamic resistance against rotation of said spool in addition to said static resistance such that said preset maximum amount of dynamic resistance which can be added includes a difference between said total maximum resistance minus and said static resistance. For at least the reasons discussed above, Applicants submit that Monroe does not disclose or suggest these limitations.

Applicants further submit that Monroe does not disclose or

suggest a dynamic drag mechanism including a lever disposed about an exterior region of the frame proximate a top portion of the frame such that the lever is substantially even with the frame as recited in dependent claims 7 and 15. Additionally, Applicants submits that Monroe does not disclose or suggest a lever pivotably disposed about an exterior region the frame such that the lever does not substantially protrude past an outer perimeter of the frame as recited in independent claim 21.


Accordingly, Applicant respectfully submits that all pending claims are in condition for allowance. Applicant submits that the amendment to independent claim 1 clearly places the claim in condition for allowance and does not require additional search and/or consideration since it was previously argued on at least page 19 of the previous response, was discussed during the previous Examiner's Interview, and is found in pending independent claim 11. Early and favorable action is respectfully requested.

The Examiner is invited to telephone the undersigned, Applicants' attorney of record, to facilitate advancement of the present application.

Respectfully submitted,

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